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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,091	12/19/2000	Florian Twinkwalder	00 P 7662US01	8861

7590

12/14/2006

Attn: Elsa Keller
Siemens Corporation
Intellectual Property Department
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EXAMINER

BAROT, BHARAT

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 12/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/745,091

Applicant(s)

TWINKWALDER ET AL.

Examiner

Bharat N. Barot

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5, 11-15, 19 and 20 is/are allowed.
- 6) ☒ Claim(s) 6-10 and 16-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

RESPONSE TO AMENDMENT

1. Claims 1-20 remain for further examination.

The old rejection maintained

2. Applicant's arguments with respect to claims 1-20 filed on October 02, 2006 have been fully considered but they are not deemed to be persuasive for the claims 6-10 and 16-18. The rejection of the claims 6-10 and 16-18 is respectfully maintained as set forth in the last Office Action mailed on June 01, 2006.

Claim Rejections - 35 USC § 102 (e)

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 6-9 and 16-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Ma et al (U.S. Patent No 7,006,487). Ma's patent meets all the limitations for claims 6-9 and 16-18 recited in the claimed invention.

Ma teaches the invention substantially as claimed a telecommunication apparatus between a voice frame network gatekeeper and an intelligent peripheral device (see abstract and figure 1).

5. As to claim 6, Ma discloses a system comprising: an H.450 client (figure 1; column 2 lines 4-20; and column 2 line 53 to column 3 line 5); and a test program adapted to allow a user to selectively specify and display an H.225 message for sending

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to other systems (figures 2-3; column 3 lines 6-67; and column 4 lines 16-30, Ma discloses that a gatekeeper and intelligent peripheral are interfaced with an H.450 program layer to carry H.225 messages between H.323 communication endpoints).

6. As to claim 7, Ma discloses that the test program including a graphical user interface (GUI) adapted to allow a user to specify an H.450 APDU and network facility extension (figures 2-4; and columns 3-4).

7. As to claim 8, Ma discloses that the H.450 APDU viewable as a tree-structured text string (columns 4-8).

8. As to claim 9, Ma discloses that a user can send an H.225 message without an H.450 APDU (column 5 lines 9-28; and column 9 lines 22-67).

9. As to claims 16-18, they are also rejected for the same reasons set forth to rejecting claims 6-9 above, since claims 16-18 do not teach or define any new limitations than claims 6-9; therefore, they are rejected for similar reasons.

Claim Rejections - 35 USC § 103(a)

10. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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11. Claim 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ma et al (U.S. Patent No 7,006,487).

12. As to claim 10, Ma discloses that the GUI adapted to display the H.225 message (columns 5-6). Ma fails to teach the claimed limitation that said H.225 message is displayed in an XML-like format. However, "Official Notice" is taken that the concept and advantages of using XML format to represent GUI objects is old and well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ma by specifying XML format for H.225 message fields. One would be motivated to do so to allow for use of popular interactive browser extensions.

Allowable Subject Matter

13. Claims 1-5, 11-15, and 19-20 are allowable over the cited prior art of record.

The examiner has found that the prior art of record does not teach or suggest or render obvious a specific combination of a system and method for providing an H.323-compatible telecommunications program; and providing a test program configured to allow a user to selectively build and view H.450 APDUs, provide the H.450 APDUs to the H.323-compatible telecommunications program, and receive corresponding H.450 APDUs from destination systems as set forth in the specification and recited in the independent claims 1, 11, and 19.

Response to Arguments

14. Applicant's arguments have been fully considered. The examiner has attempted to answer (response) to the remarks (arguments) in the body of the Office action.

15. Applicant's arguments with respect to claims 6-10 and 16-18 filed on October 02, 2006 have been fully considered but they are not deemed to be persuasive for the claims 6-10 and 16-18.

16. In the remarks, the applicant argues that:

(A) Argument: Ma et al do not teach or suggest a test program adapted to allow a user selectively specify and display an H.225 message for sending to other system.

Response: Ma et al explicitly teach a test program adapted to allow a user to selectively specify and display an H.225 message for sending to other systems (figures 2-3; column 3 lines 6-67; and column 4 lines 16-30, Ma discloses that a gatekeeper and intelligent peripheral are interfaced with an H.450 program layer to carry H.225 messages between H.323 communication endpoints).

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Contact Information

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bharat Barot** whose Telephone Number is **(571) 272-3979**. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number **(571) 273-8300**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Saleh Najjar**, can be reached at **(571) 272-4006**.

Patent Examiner Bharat Barot

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December 08, 2006


BHARAT BAROT
PRIMARY EXAMINER